Los A[illegible]eles County Sheriff's Depa[illegible]nent
Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
04/10/15	Central Patrol Division/Century Station	[ ]	[x]

Incident Information

URN: 015-04772-2177-057	Date: 04/10/15	Time: 0331 Hours

City or Station: Los Angeles/Century Station

Location: 8917 Juniper Street, Los Angeles, CA 90001

Nature of Incident: Deputy [redacted] shot suspect, Teshawn Gathier (MB/10-28-86), when he attempted to run Deputy [redacted] over with his vehicle.

Location Type (*check one or more*):
- [ ] Backyard
- [ ] Beach
- [x] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [ ] Residence
- [ ] Rural
- [ ] School
- [ ] Street
- Other:

Lighting (*check only one*):
- [x] Darkness
- [ ] Daylight
- [ ] Other
- [ ] Street Lights

Weather (*circle only one*):
- [ ] Clear
- [x] Cloudy
- [ ] Fog
- [ ] Rain

Distance: 5-10 feet

Total # of Shots Fired by Deputy: 6

Total # of Shots Fired by Suspect: 0

Incident Type (*check one or more*):
- [ ] Accidental
- [ ] Armed Person
- [ ] Fleeing Suspect
- [ ] Foot Pursuit
- [ ] Gun Take Away
- [x] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [ ] Struggle Involved
- [ ] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [ ] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other:

Initiated by (*check only one*):
- [ ] Arrest Warrant
- [x] Call
- [ ] Observation
- [ ] One Person Unit
- [ ] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (*check only one*):
- [ ] Detective
- [ ] Inmate Transport
- [ ] Other
- [x] Routine Patrol

Aero Unit? [x] Canine Unit? [ ]

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	Boling	Gregory	P.	[x] EM [ ] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	Huerta	Jaime	NMI	[x] EM [ ] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	Ovalle	Jose	M.	[x] EM [ ] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Ovalle	Jose	M.	[x] On Duty [x] Present during shooting [x] Witness to shooting [ ] Involved in shooting
[redacted]	Kuehl	Eric	M.	[x] On Duty [x] Present during shooting [x] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Banks	Sean	D.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	[redacted]	[redacted]	[redacted]

PSTD Use Only

SH # 2377694

SH-R-438A (rev. 10/01/15)

See Reverse

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
04/10/15	0630 Hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Flores	David	-----
[redacted]	River	Terisa	M.
[redacted]	Denison	Trent	A.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	OV					NN	
E1	S1	FH	SS	45	Y	Y	GS	SH
S1	E1	OV					NN	
E1	S1	FH	SS	45	Y	Y	GS	WR AD

Officer Involved Shooting
Involved Employee Information

URN: 015-04772-2177-057

Involved Employee

E 1

Employee # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Sex: M Race: Black	Rank: DSG	Unit Assignment: Century Station	Work Assignment (Unit #, Module, etc.): 213F
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☑ Uniform w/ Vest	Other Factors:
Age: 28 Height: 5'09"	Weight: 185		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted] Prior Shootings? [redacted]	Number of Prior Shootings: [redacted] Directed Force: ☐
Weapons Fired Brand: Sig Sauer P220	Caliber: .45 # Shots: 6	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber: # Shots:	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E __

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit: Prior Shootings? ☐	Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber: # Shots:	Weapons Fired Brand:	Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

See Other Side

Officer Involved Shooting
Suspect Information

Suspect Information

S 1

Last Name: Gathier	First Name: Teshawn	M.I.: L.
AKA Last Name: Tate	First Name: Joseph	M.I.
Sex: M / Race: Black	Street Address: [redacted] / City: [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: / Social Security #:	Driver's License #: [redacted]
Age: 28 / D.O.B. 10/28/1986	Height: 506 / Weight: 200 / FBI #: [redacted]	CII #: [redacted]
Booking # 4292721	Primary Charge: 245(C) PC / Secondary Charge:	
Coroner Case? ☐	Coroner Case # / Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☑ / Mental Illness? ☐	Criminal History? ☑
Vehicle Make: Buick / Model: Regal/LS	Year: 2001 / Parole: No / Probation: Yes	Prior Felony Conviction: Yes

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: / Race:	Street Address: / City	State & Zip Code:
Work Phone:	Home Phone: / Social Security #:	Driver's License #:
Age: / D.O.B.	Height: / Weight: / FBI #	CII #
Booking #	Primary Charge: / Secondary Charge:	
Coroner Case? ☐	Coroner Case # / Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐ / Mental Illness? ☐	Criminal History? ☐
Vehicle Make / Model:	Year: / Parole: / Probation:	Prior Felony Conviction:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: / Race:	Street Address: / City	State & Zip Code:
Work Phone:	Home Phone: / Social Security #:	Driver's License #:
Age: / D.O.B.	Height: / Weight: / FBI #	CII #
Booking #	Primary Charge: / Secondary Charge:	
Coroner Case? ☐	Coroner Case # / Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐ / Mental Illness? ☐	Criminal History? ☐
Vehicle Make / Model:	Year: / Parole: / Probation:	Prior Felony Conviction:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.
Sex: / Race:	Street Address: / City	State & Zip Code:
Work Phone:	Home Phone: / Social Security #:	Driver's License #:
Age: / D.O.B.	Height: / Weight: / FBI #	CII #
Booking #	Primary Charge: / Secondary Charge:	
Coroner Case? ☐	Coroner Case # / Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐ / Mental Illness? ☐	Criminal History? ☐
Vehicle Make / Model:	Year: / Parole: / Probation:	Prior Felony Conviction:

See Other Side

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Kuehl #[redacted]	Eric	M.	Century Station		(323) 568-4800	
Ortiz #[redacted]	Arturo	NMI	Century Station		(323) 568-4800	
Schaefer #[redacted]	Gregory	S.	Century Station		(323) 568-4800	
Hauser #[redacted]	Timothy	P.	Century Station		(323) 568-4800	
Dowdy #[redacted]	Travis	T.	Century Station		(323) 568-4800	
Bowley #[redacted]	Jason	R.	Century Station		(323) 568-4800	
[redacted]	[redacted]	[redacted]	[redacted]		[redacted]	
[redacted]	[redacted]	[redacted]	[redacted]		[redacted]	
Quinones #[redacted]	Jimmy	A.	Century Station		(323) 568-4800	
Velez #[redacted]	Robert	M.	Century Station		(323) 568-4800	
Ruiz #[redacted]	Miguel	A.	Century Station		(323) 568-4800	
Valente	Christopher	NMI	Century Station (previously separated from department)			[redacted]
Harralson #[redacted]	Dennis	NMI	Aero Bureau		(562) 421-2701	
Racz #[redacted]	John	NMI	Aero Bureau		(562) 421-2701	
Cardenas #[redacted]	Rafael	NMI	Century Station		(323) 568-4800	

INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**On-duty hit shooting, use of force, suspect injured**
IAB FILE NUMBERS:	**SH 2377694 / FO 2399978**
URN#:	**015-04772-2177-057**
DATE/TIME:	**April 10, 2015, 0331 hours**
LOCATION:	**8917 Juniper Street, Los Angeles**

On April 10, 2015, an Internal Affairs Bureau (IAB) Shooting Response Team comprised of Lieutenant David Flores, Sergeant Terisa River, and Sergeant Trent Denison responded to Century Station regarding an on-duty hit shooting.

Suspect Teshawn Gathier sustained gunshot wounds to his left wrist, left shoulder, and left posterior flank. He was subsequently transported to Saint Francis Medical Center Intensive Care Unit, where he was treated for his injuries. Deputy Jaime Huerta sustained an injury to his left middle finger and left wrist when Suspect Gathier drove his vehicle toward him, striking Deputy Huerta with the driver's side mirror.

Lieutenant Flores verified the Century Station Watch Commander, Lieutenant [redacted] #[redacted], took reasonable steps to ensure the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators. Lieutenant Flores also ensured that Lieutenant [redacted] knew the involved employees and witness personnel should not collectively consult with their representatives. In addition, Lieutenant Flores confirmed the watch commander attempted to have the involved and witness personnel remain in the company of a supervisor until they provided statements to the assigned investigators.

Upon their arrival, IAB investigators learned there was an active command post and containment of the crime scene area. Investigators learned of the series of events which culminated in the deputy, involved shooting involving Deputy [redacted]

Detective Phil Guzman #[redacted] and Detective Kathleen Gallagher #[redacted] from the Los Angeles County Sheriff's Homicide Bureau arrived and assumed

control of the crime scene. For further information, refer to the Homicide case book, under URN# 015-04772-2177-057, **[Exhibit A]**.

SYNOPSIS

On April 10, 2015, at 0326 hours, Century Station desk personnel received a phone call from the Los Angeles Police Department (LAPD). The LAPD dispatcher informed Century Station Complaint Deputy Veronica Torrez #[redacted] they received a phone call from an informant who was requesting police assistance at 8917 Juniper Street in Los Angeles (Southside Tow Yard, herein referred to as tow yard), due to a male seen in the yard attempting to steal a vehicle. The LAPD dispatcher provided Deputy Torrez the name and phone number of the informant, the [redacted]. Deputy Torrez called the informant, [redacted], who confirmed she needed deputies to respond to the tow yard because a male was attempting to steal a vehicle from within the tow yard. A tow truck operator, [redacted], was at the tow yard who had observed the male. Deputy Torrez created a call for service and dispatched the call to Century Station field units, tag #20, **[Exhibit B]**.

Deputies Gregory Boling and Jaime Huerta were assigned to Century Station patrol unit 216H, a two-man unit. Deputy Boling was assigned as Deputy Huerta's field training officer. At 0332 hours, they were assigned to the call (tag #20) and began to respond to the tow yard. Deputies Robert Velez and Miguel Ruiz, unit 216F, were assigned the assist on tag #20. Deputies Velez and Ruiz acknowledged the call and also responded. Deputies Boling and Huerta arrived on scene at 0337 hours. Although Deputies Velez and Ruiz arrived shortly thereafter, their unit log did not show when they arrived.

Deputies Boling and Huerta, who were the first to arrive on scene, made contact with the tow truck operator, [redacted], who was still seated inside his tow truck. [redacted] had purposely parked his large flatbed tow truck diagonally across the entrance of the tow yard to block the suspect, Teshawn Gathier, who was attempting to drive a vehicle out of the tow yard, from leaving. Deputy Boling instructed [redacted] to exit the truck and to walk away from the tow yard for his safety.

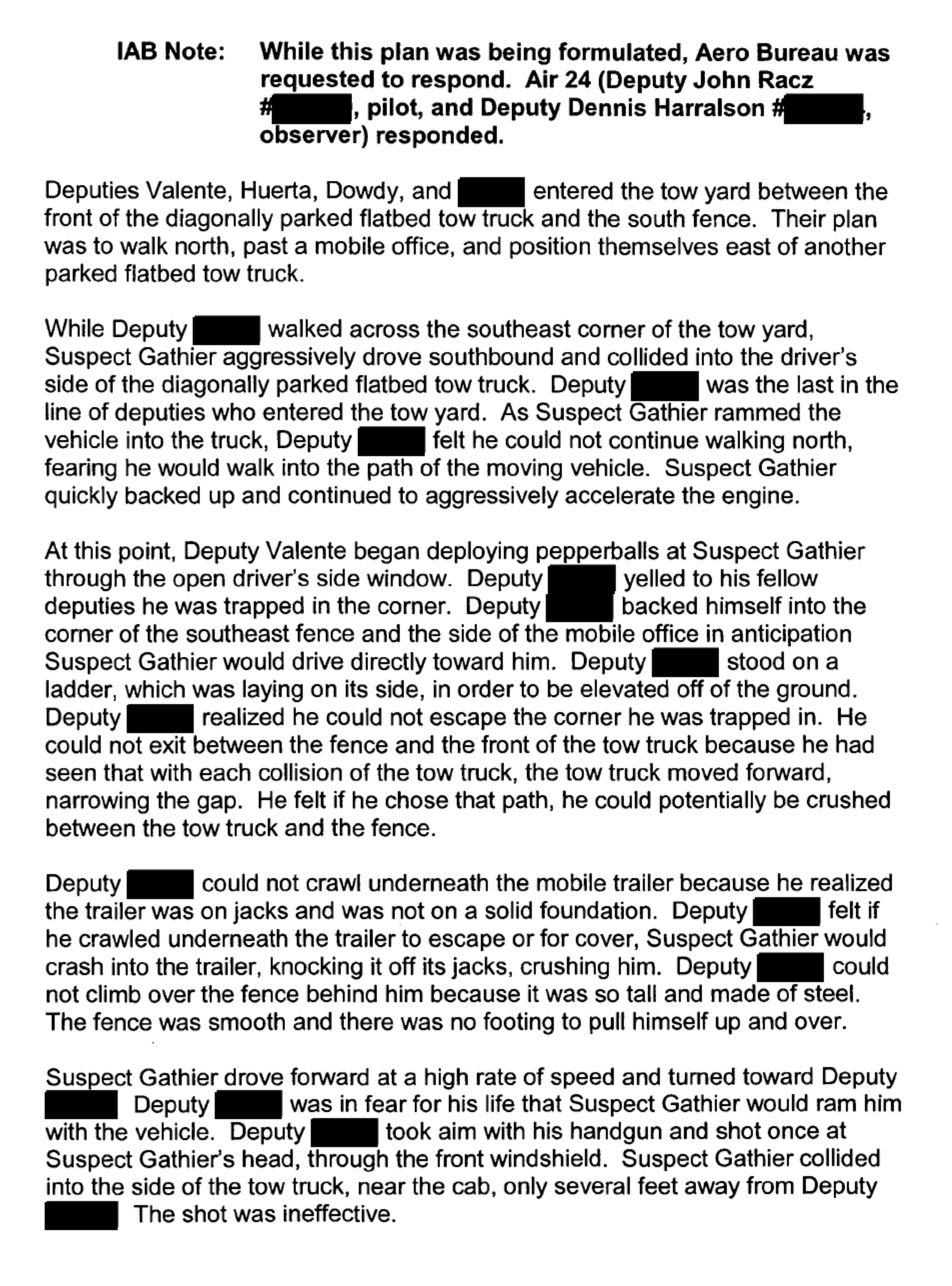
As Deputies Boling and Huerta walked into the tow yard, they saw Suspect Teshawn Gathier seated in the driver's seat of a sedan, with the engine running. The vehicle was facing southbound, toward them. Deputy Boling informed responding units, via his portable radio, he was on scene and had made contact with Suspect Gathier. Before approaching the vehicle, Deputy Boling instructed Deputy Huerta to approach the driver's side (east side of vehicle) while Deputy Boling would approach the passenger's side. Both deputies instructed Suspect Gathier to turn off the vehicle and to exit the vehicle. Suspect Gathier did not heed their commands and revved the engine while applying the brakes, causing the vehicle to lunge forward. At one point, Suspect Gathier quickly drove forward

and collided into the driver's side of the flatbed tow truck, near the bed lift control panel. Deputy Huerta was able to remain behind the cover of another nearby tow truck, as Suspect Gathier drove past him. Suspect Gathier backed the vehicle up, and Deputy Huerta elected to use his collapsible baton to break out the front driver's side window in order to ensure Suspect Gathier could hear deputies' commands. After Suspect Gathier reversed the car, he quickly drove forward and turned the car toward Deputy Huerta. In order to avoid being struck by the vehicle, Deputy Huerta jumped out of the path as Suspect Gathier passed, but was still struck by the driver's side mirror on his left hand.

Deputy Boling believed Suspect Gathier purposely drove the vehicle toward Deputy Huerta. Deputy Boling requested assistance via his portable radio. While Deputy Boling and Deputy Huerta were waiting for assisting units to arrive, Deputy Boling saw Suspect Gathier reach toward the floorboard several times. Suspect Gathier raised both his hands to eye level, as if he was pointing a handgun at Deputy Boling. Deputy Boling could see Suspect Gathier was not holding anything in his hands.

At this point, assisting units began to arrive. Sergeant Jose Ovalle, unit 216S, Sergeant Jason Bowley, unit 214S, and Sergeant Eric Kuehl, unit 212S, arrived and took over coordination of the incident. Sergeant Ovalle said when he arrived on scene, he noticed a group of deputies trapped within the tow yard, between the west fence and a white box truck (parked facing north). Sergeant Ovalle could not recall who the deputies were. He merely recalled there were several deputies trapped in that position. Sergeant Ovalle directed those deputies to run south along the west fence line toward the exit of the yard. Sergeant Ovalle believed all deputies were removed from that position. Deputy Boling did not retreat from that position and remained between the west fence and the white box truck. Deputy Boling felt if he ran south toward the exit, he would have exposed himself to Suspect Gathier, who was still driving the vehicle back and forth, ramming the flatbed tow truck.

Sergeant Ovalle formulated a plan and instructed Deputy Huerta to retrieve the less lethal 37 mm projectile weapon (ARWEN), and Deputy Christopher Valente was directed to retrieve the pepperball gun. Sergeant Ovalle instructed Deputy Travis Dowdy and Deputy [redacted] to use lethal force if necessary. Deputy Timothy Hauser retrieved the AR-15 and positioned himself on the passenger's side of the flatbed tow truck. Deputy Hauser aimed his rifle directly toward Suspect Gathier. Sergeant Ovalle instructed Deputy Miguel Ruiz to arm himself with a shotgun. Once he retrieved the shotgun, Deputy Ruiz positioned himself on the passenger's side of the flatbed tow truck. Deputy Ruiz aimed the shotgun at Suspect Gathier. Deputy Robert Velez heard Sergeant Ovalle ask someone to get a stunbag. Deputy Velez retrieved the stunbag from Sergeant Ovalle's unit and positioned himself on the passenger side of the flatbed tow truck. Deputy Velez aimed the stunbag at Suspect Gathier. Deputy [redacted] arrived and remained on the Juniper Street sidewalk, outside of the tow yard.



IAB Note: While this plan was being formulated, Aero Bureau was requested to respond. Air 24 (Deputy John Racz #[redacted], pilot, and Deputy Dennis Harralson #[redacted], observer) responded.

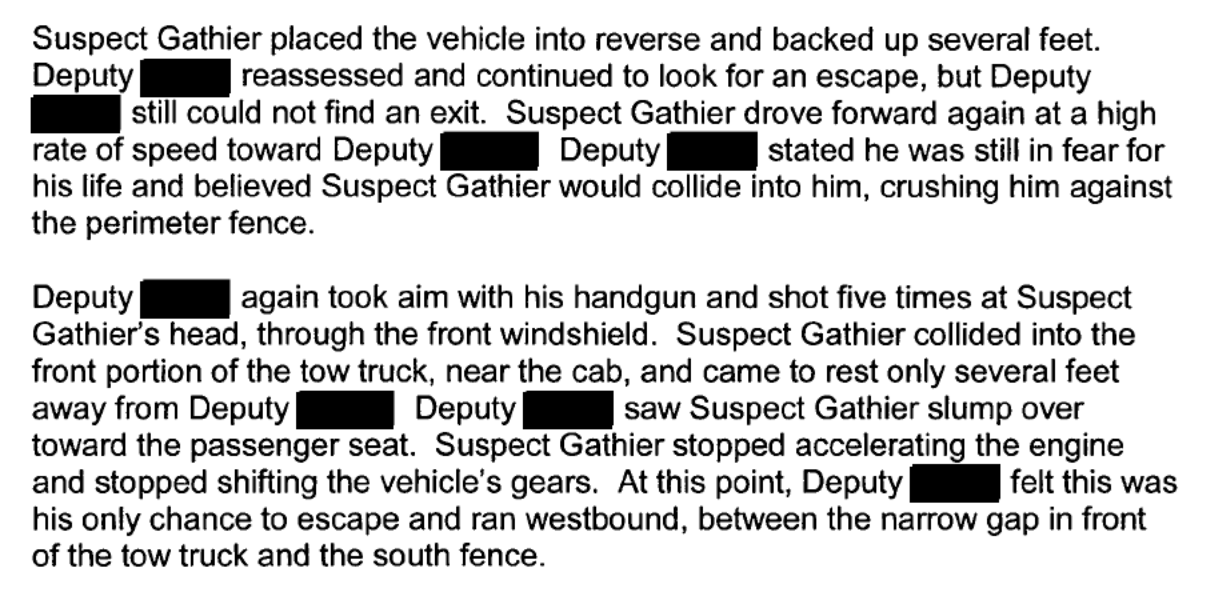
Deputies Valente, Huerta, Dowdy, and [redacted] entered the tow yard between the front of the diagonally parked flatbed tow truck and the south fence. Their plan was to walk north, past a mobile office, and position themselves east of another parked flatbed tow truck.

While Deputy [redacted] walked across the southeast corner of the tow yard, Suspect Gathier aggressively drove southbound and collided into the driver's side of the diagonally parked flatbed tow truck. Deputy [redacted] was the last in the line of deputies who entered the tow yard. As Suspect Gathier rammed the vehicle into the truck, Deputy [redacted] felt he could not continue walking north, fearing he would walk into the path of the moving vehicle. Suspect Gathier quickly backed up and continued to aggressively accelerate the engine.

At this point, Deputy Valente began deploying pepperballs at Suspect Gathier through the open driver's side window. Deputy [redacted] yelled to his fellow deputies he was trapped in the corner. Deputy [redacted] backed himself into the corner of the southeast fence and the side of the mobile office in anticipation Suspect Gathier would drive directly toward him. Deputy [redacted] stood on a ladder, which was laying on its side, in order to be elevated off of the ground. Deputy [redacted] realized he could not escape the corner he was trapped in. He could not exit between the fence and the front of the tow truck because he had seen that with each collision of the tow truck, the tow truck moved forward, narrowing the gap. He felt if he chose that path, he could potentially be crushed between the tow truck and the fence.

Deputy [redacted] could not crawl underneath the mobile trailer because he realized the trailer was on jacks and was not on a solid foundation. Deputy [redacted] felt if he crawled underneath the trailer to escape or for cover, Suspect Gathier would crash into the trailer, knocking it off its jacks, crushing him. Deputy [redacted] could not climb over the fence behind him because it was so tall and made of steel. The fence was smooth and there was no footing to pull himself up and over.

Suspect Gathier drove forward at a high rate of speed and turned toward Deputy [redacted] Deputy [redacted] was in fear for his life that Suspect Gathier would ram him with the vehicle. Deputy [redacted] took aim with his handgun and shot once at Suspect Gathier's head, through the front windshield. Suspect Gathier collided into the side of the tow truck, near the cab, only several feet away from Deputy [redacted] The shot was ineffective.



Suspect Gathier placed the vehicle into reverse and backed up several feet. Deputy [redacted] reassessed and continued to look for an escape, but Deputy [redacted] still could not find an exit. Suspect Gathier drove forward again at a high rate of speed toward Deputy [redacted] Deputy [redacted] stated he was still in fear for his life and believed Suspect Gathier would collide into him, crushing him against the perimeter fence.

Deputy [redacted] again took aim with his handgun and shot five times at Suspect Gathier's head, through the front windshield. Suspect Gathier collided into the front portion of the tow truck, near the cab, and came to rest only several feet away from Deputy [redacted] Deputy [redacted] saw Suspect Gathier slump over toward the passenger seat. Suspect Gathier stopped accelerating the engine and stopped shifting the vehicle's gears. At this point, Deputy [redacted] felt this was his only chance to escape and ran westbound, between the narrow gap in front of the tow truck and the south fence.

IAB Note: Just after the shooting occurred, Air 24 arrived overhead and began orbiting the tow yard.

Once the vehicle came to a rest, Deputies Dowdy, Valente, and Huerta approached the driver's side of the suspect's vehicle. Deputy Dowdy opened the driver's door and ordered Suspect Gathier to exit. Suspect Gathier was unresponsive and merely laid across the front seat. Deputy Dowdy grabbed Suspect Gathier by his legs and began to pull him out of the vehicle. Deputy Huerta assisted and pulled Suspect Gathier's feet. Suspect Gathier resisted by holding onto the passenger seat to keep from being pulled out of the vehicle.

Once Suspect Gathier was pulled out by the deputies, Suspect Gathier was laid on the ground, onto his stomach, just outside the driver's door. Deputies Dowdy and Valente attempted to handcuff Suspect Gathier, but Suspect Gathier firmly held his hands underneath his upper torso and resisted any effort the deputies made to pull his hands out from underneath his body.

Deputy Valente used his knee and struck Suspect Gathier's back twice to gain compliance. The deputies said they were afraid Suspect Gathier had a weapon in his hands since Suspect Gathier was observed several times reaching down toward the floorboard when he was driving the car. Deputy Dowdy and Deputy Valente were successful in pulling both of Suspect Gathier's hands out from underneath him and handcuffed them behind his back.

Deputy Ruiz knelt down beside Suspect Gathier's legs and applied downward pressure to Suspect Gathier's legs because Suspect Gathier was kicking and thrashing his legs. Deputy Ruiz felt the strength in Suspect Gathier's legs and believed Suspect Gathier was attempting to stand up.

Sergeant Ovalle ordered Suspect Gathier's ankles to be hobbled. Deputy Ruiz placed a hobble around Suspect Gathier's ankles. Once Suspect Gathier was handcuffed and hobbled, Sergeant Ovalle ensured the fire department and paramedics were summoned to treat Suspect Gathier for his injuries. Sergeant Ovalle also made sure Suspect Gathier was breathing and attempted to communicate with Suspect Gathier.

IAB Note: **Before the shooting occurred, Sergeant Ovalle asked Sergeant Kuehl to begin video recording the incident. Sergeant Kuehl began recording Suspect Gathier's aggressive driving behavior in the tow yard. Although the actual shooting was not captured on video, the sounds of the shooting were. Subsequent to the shooting, and after Suspect Gathier was arrested, Sergeant Kuehl gave the video camera to Deputy [redacted], who recorded the rest of the video.**

As Deputy [redacted] continued to record, he walked close to Suspect Gathier. Suspect Gathier was laying on his stomach, handcuffed on the ground. Suspect Gathier could be heard complaining to the deputies to get off his legs and neck and that it was causing him pain. Deputy Ruiz stated he may have knelt down near Suspect Gathier's legs to re-adjusted the hobble.

VIDEO REVIEW

The following is a review of the video footage Sergeant Kuehl and Deputy [redacted] recorded, **[Exhibit C]**:

00:00	Suspect Gathier is seated in the vehicle, facing south, with engine and lights on.
00:35	Sergeant Ovalle is giving deputies directions and assigning lethal and less lethal options.
01:05	Suspect Gathier begins to drive forward and backward.
01:14	Suspect Gathier quickly accelerates forward, colliding into the side of the tow truck. The sounds of pepperballs can be heard being deployed.
01:18	Suspect Gathier reverses the vehicle.
01:21	Suspect Gathier accelerates forward at a high rate of speed and turns toward the southeast corner of yard. Deputy [redacted] is heard yelling, "Oh fuck!"
01:24	One gunshot is heard.
01:28	Pepperballs can be heard being deployed.
01:35	Five more gunshots can be heard being fired.
02:33	Deputy [redacted] is momentarily seen standing in the southeast corner of yard with his gun drawn.

02:40	Deputy [redacted] is seen running out of the corner and onto the sidewalk.
03:40	Deputies Dowdy, Ruiz, Cardenas and Sergeant Ovalle are seen standing near Suspect Gathier's vehicle, at the driver's side.
05:28	A deputy with a long sleeve uniform and bonus stripes, who appears to be Deputy Valente (see IAB Note below), is seen squatting near the open door of the vehicle, near Suspect Gathier's head.
05:50	Deputy Ruiz is momentarily seen squatting down near Suspect Gathier. Suspect Gathier beings to yell, "Get off my leg!"
06:32	Out of camera view, Suspect Gathier is heard yelling, "Get off my neck!"
06:55	Sergeant Kuehl gives Deputy [redacted] the video camera.
07:10	Deputy Valente's hand is seen on Suspect Gathier's upper back.
11:44	Los Angeles County Fire Department personnel arrive on scene and begin treating Suspect Gathier.
19:37	The video ends with Suspect Gathier inside an ambulance.

IAB Note: After interviewing personnel who were at the scene, it was determined the deputy who is seen in the video squatting over Suspect Gathier's head after Suspect Gathier was handcuffed, is possibly Deputy Valente. Although Deputy Valente was interviewed by Homicide Bureau detectives on the day of the incident, IAB investigators were unable to interview Deputy Valente because he separated from the Department on August 26, 2015. IAB investigators made several phone calls to Deputy Valente's listed phone number, but there was no answer, nor the ability to leave voice messages. A certified letter was sent to Deputy Valente's residence on January 4, 2017, but was returned undelivered on January 6, 2017. See Miscellaneous Documents for the United States Postal Service certified mail receipt and letter.

DISTRICT ATTORNEY'S LETTER OF OPINION

The Justice System Integrity Division (JSID) of the Los Angeles County District Attorney's Office reviewed the non-fatal shooting of Suspect Gathier by Deputy [redacted] In the letter of opinion, **[Exhibit D]**, dated March 16, 2016, Deputy District Attorney James Garrison concluded Deputy [redacted] acted lawfully in self-defense.

INVOLVED EMPLOYEE AND WORK HISTORY

[redacted]., Deputy Sheriff, #[redacted]
Central Patrol Division
Century Station

Work History

Date of Employment: [redacted]
Date Assigned to Patrol/Century Station:
Date Completed Patrol Training:
Prior Shooting incident(s):
Prior Founded Force Incidents:

Equipment Worn On Person

Deputy [redacted] was wearing a Class A uniform with a gun belt. His gun belt contained a holster with his duty weapon, two sets of handcuffs in cases, a radio within a holster, Oleoresin Capsicum (OC) spray, extra magazine pouches, and a small tactical flashlight in a holster.

SUSPECT INFORMATION

Gathier, Teshawn
Male, Black, DOB: October 28, 1986, 5'08", 200 pounds.
[redacted]
CII #[redacted], MAIN #[redacted], FBI #[redacted]

> **IAB Note: A copy of Suspect Gathier's criminal history is included in the Homicide Investigation Book, [Exhibit A, pages 92-112].**

SUSPECT'S INJURIES

Suspect Gathier sustained two gunshot wounds to his left shoulder, one to his left wrist, and one to the left posterior flank. See medical reports, **[Exhibit E]**.

DEPUTY PERSONNEL INJURIES

Deputy Jaime Huerta sustained a small laceration and swelling to his left middle finger and a sprained left wrist, **[Exhibit F]**. He was treated by Doctor Arnush at U.S. Healthworks and released to full duty.

PHYSICAL EVIDENCE

Several items of evidence were collected by the staff from Scientific Services Bureau.

> **IAB Note:** **A sketch of the crime scene, [Exhibit A, pages 68 and 69] was created by Forensic Identification Specialist II, Mira Amin #[redacted]. Crime Scene Investigation Reports were authored by Forensic Identification Specialist II Michael Bayer #[redacted] and Deputy Ray Davidson #[redacted], [Exhibit A, pages 70 through 76]. Photographs of the scene are also included, [Exhibit G].**

All physical evidence was located and collected by the Los Angeles County Sheriff's Department Scientific Services Bureau. For descriptions of the evidence collected and where it was collected, see the Crime Scene Investigation Reports, **[Exhibit A, pages 70 through 73 and pages 68 through 69]**.

DISTANCE

Deputy [redacted] was approximately 20 feet away from Suspect Gathier when Deputy [redacted] fired the first time. Deputy [redacted] was approximately 10 feet away from Suspect Gathier when Deputy [redacted] fired the second time.

WEAPON USED BY DEPUTY [redacted]

Deputy [redacted] fired six rounds of Winchester .45 caliber ammunition from his Sig Sauer, P220 Elite, semiautomatic pistol. The firearm was examined by Bonus Deputy II Ivan Chavez #[redacted] of the Scientific Services Firearms Identification Section. The weapon was found it to be functional, **[Exhibit A, pages 81 and 82]**.

Prior to the shooting in this investigation, Deputy [redacted]

Six expended Winchester .45 caliber casings were recovered at the scene, **[Exhibit A, page 74]**. Two jacketed projectiles and two bullet fragments were recovered from the scene, **[Exhibit A, pages 74 through 76]**.

PROPERTY DAMAGE BY SUSPECT GATHIER

Suspect Gathier rammed a "Peterbilt" flatbed tow truck (California license plate #[redacted]) several times with the sedan. Suspect Gathier caused damage to the driver's side lift controls, the driver's side foot step below the driver's door,

and the front driver's side fender of the tow truck. Suspect Gathier also rammed the south perimeter fence of the tow yard, bending a large steel vertical post. Suspect Gathier caused this damage by driving a tan colored, four door, 2001 Buick Regal (VIN #[redacted]) and ramming it into the tow truck and fence. The vehicle sustained extensive body damage to the driver's side rear quarter panel, the passenger's front door, the passenger's side front quarter panel, the passenger's side front corner bumper, headlight, and hood.

The Buick Regal sustained four bullet holes through the front windshield, one through the hood, and one through the joint between the front driver's side quarter panel and door. The front driver's side window was broken by Deputy Huerta with his baton. Refer to photos, **[Exhibit G and H]**.

CRIMINAL INVESTIGATORS AND CHARGES FILED

The criminal investigation into the shooting was handled by Detectives Phil Guzman and Kathleen Gallagher of the Los Angeles County Sheriff's Department's Homicide Bureau. Three counts of 245(c) PC - Assault with a deadly weapon on a peace officer, were filed against Suspect Gathier in the Norwalk Superior Courthouse, **[Exhibit A, pages 84 through 88]**.

On July 28, 2015, Suspect Gathier was found guilty on one count of 245(c) PC and sentenced to three years in state prison. Refer to **Miscellaneous Documents** for a copy of the case summary.

LIGHTING AND WEATHER CONDITIONS

The scene was illuminated by nearby overhead street lights at the location. The weather was clear and cool.

DEPARTMENT WITNESSES

Boling, Gregory #[redacted], Deputy
Huerta, Jaime #[redacted], Deputy
Ovalle, Jose #[redacted], Sergeant
Kuehl, Eric #[redacted], Sergeant
Ortiz, Arturo #[redacted], Deputy
Schaefer, Gregory #[redacted], Deputy
Hauser, Timothy #[redacted], Deputy
Dowdy, Travis #[redacted], Deputy
Bowley, Jason #[redacted], Sergeant
[redacted], Deputy
[redacted], Deputy
Quinones, Jimmy #[redacted], Deputy
Velez, Robert #[redacted], Deputy
Ruiz, Miguel #[redacted], Deputy

Valente, Christopher #[redacted], Deputy

NON-DEPARTMENT WITNESS

[redacted] MH/Adult
[redacted]

Witness [redacted] was interviewed by Homicide Detectives Phil Guzman and Kathleen Gallagher on April 10, 2015. Witness [redacted] said he is [redacted]. On April 10, 2015, Witness [redacted] was on duty and just returned from a call for service. Witness [redacted] parked his tow truck inside the tow yard at 8917 Juniper Street Los Angeles, Ca. 90001. Witness [redacted].

Once Witness [redacted] parked his tow truck, he entered the office to leave his paperwork inside. When Witness [redacted] exited the office, he saw an unknown male (Suspect Gathier) entering one of the parked vehicles inside the tow yard. Witness [redacted] entered his tow truck and immediately called his [redacted], [redacted]. Witness [redacted] informed [redacted] of his observations and asked [redacted] if he (Witness [redacted]) should block the exit of the tow yard with the tow truck. [redacted] told Witness [redacted] to block the exit and he would call the Sheriff's Department. Witness [redacted] said he positioned the tow truck diagonally, blocking the exit. Witness [redacted] remained inside the tow truck for protection.

After several minutes, [redacted] called Witness [redacted] and instructed him to open the gate with the remote for the deputies. Once the gate was opened, Witness [redacted] saw two deputy sheriffs (Deputy Boling and Deputy Huerta) enter the tow yard. Witness [redacted] briefly spoke to the deputies and pointed to Suspect Gathier, who was seated in a vehicle.

Witness [redacted] saw Deputy Boling and Deputy Huerta approach the vehicle and heard them order Suspect Gathier to get out of the vehicle. Witness [redacted] saw the vehicle, Suspect Gathier was seated in, drive forward and crash into the driver's side of his tow truck. Witness [redacted] said he was afraid Suspect Gathier may run over the deputies.

Witness [redacted] heard Deputy Boling and Deputy Huerta yell at Suspect Gathier to stop the vehicle and to exit. Suspect Gathier backed up the vehicle and accelerated forward, ramming the tow truck again. Witness [redacted] saw one of the deputies use his baton to break Suspect Gathier's front driver's side window. Suspect Gathier drove forward again, toward one of the deputies, and again rammed into the driver's side of the tow truck.

Witness [redacted] said one of the deputies told Witness [redacted] to exit the tow truck from the passenger's side door. Witness [redacted] exited and walked to the south curb of 90th Street. Witness [redacted] could no longer see Suspect Gathier, but could clearly see his tow truck.

Witness [redacted] saw additional deputies arrive on scene. Witness [redacted] also saw his tow truck rock violently each time Suspect Gathier rammed his vehicle into the tow truck. Approximately one minute later, Witness [redacted] heard several gunshots coming from inside the tow yard. Refer to **[Exhibit A, pages 23 through 25]** for a summary of Witness [redacted]'s interview and **[Exhibit G]** for the audio recorded interview.

DEPARTMENT WITNESSES

The following Department witnesses were interviewed by Homicide Bureau detectives: Deputy Gregory Boling, Deputy Jaime Huerta, Deputy Christopher Valente, Deputy Timothy Hauser, Sergeant Jose Ovalle, Sergeant Eric Kuehl, Deputy Arturo Ortiz, Deputy Gregory Schaefer, Deputy Travis Dowdy, Sergeant Jason Bowley, Deputy [redacted], Deputy [redacted], Deputy Jimmy Quinones, Deputy Robert Velez, and Deputy Miguel Ruiz. Refer to **[Exhibit A]** for a summary of their interviews and **[Exhibit G]** for the audio recordings.

The following Department witnesses were interviewed by Internal Affairs Bureau investigators for purposes of the shooting investigation and subsequent arrest of Suspect Gathier: Deputy Gregory Boling, Deputy Jaime Huerta, Sergeant Jose Ovalle, Sergeant Eric Kuehl, Deputy Travis Dowdy, Deputy [redacted], Deputy [redacted], Deputy Jimmy Quinones, Deputy Robert Velez, Deputy Miguel Ruiz, Deputy Dennis Harralson, Deputy John Racz, and Deputy Rafael Cardenas. For their complete statements refer to IAB transcripts.

EMPLOYEE WITNESS STATEMENTS

Deputy Gregory Boling

Deputy Boling said he and his partner, Deputy Huerta, were first on scene. Deputy Boling saw Suspect Gathier seated in the driver's seat of a vehicle, inside the tow yard. Deputy Boling instructed Deputy Huerta to approach Suspect Gathier on the driver's side while Deputy Boling approached the passenger's side. Deputy Boling instructed Suspect Gathier to turn off the vehicle and exit, but Suspect Gathier ignored his commands. Deputy Boling saw Suspect Gathier quickly drove forward and rammed his vehicle into the side of a tow truck. As Suspect Gathier backed up the vehicle, Deputy Boling saw Deputy Huerta use his baton to break out the front driver's side window of Suspect Gathier's vehicle. Suspect Gathier again accelerated forward and turned toward Deputy Huerta, who jumped out of the way to avoid being hit by Suspect Gathier.

Deputy Boling requested assistance via his portable radio for additional deputy personnel. Deputy Boling took cover along the west fence and behind a white box truck. Deputy Huerta remained on the east side of the tow yard. When additional units arrived, several unknown deputies positioned themselves with Deputy Boling between the west fence and the white box truck. After several minutes, Sergeant Ovalle began to develop a plan. Deputy Boling elected to stay where he was because he felt he had a clear view of Suspect Gathier inside the vehicle. Deputy Boling also felt if he walked south toward the entrance of the tow yard, he would expose himself and into the path where Suspect Gathier was driving.

Deputy Boling said he could hear the sound of a pepperball gun being deployed, but could not see it from his position. Soon thereafter, Deputy Boling heard approximately three gunshots coming from the southeast corner of the tow yard. Deputy Boling did not hear any nearby bullet strikes or the sound of ricocheting bullets.

After the gunfire, Deputy Boling heard that Suspect Gathier was down. Deputy Boling walked away from the white box truck and toward where the vehicle had come to rest. Deputy Boling saw deputies pull Suspect Gathier out of the vehicle and lay him on the ground. Deputy Boling could not recall who the deputies were who pulled Suspect Gathier out of the vehicle. Deputy Boling saw Suspect Gathier was not complying with the deputies' orders and began kicking his legs. Deputy Huerta assisted and handcuffed the suspect. Deputy Boling did not witness any deputies strike Suspect Gathier during the arrest.

Deputy Jaime Huerta

Deputy Huerta stated when he and his partner, Deputy Boling, arrived, Deputy Boling instructed him to approach the driver's side of Suspect Gathier's vehicle. When Deputy Huerta approached the vehicle, he saw Suspect Gathier inside, revving the engine. Suspect Gathier ignored Deputy Huerta's commands to turn off the vehicle and exit. Suspect Gathier accelerated forward and rammed the vehicle into the side of a tow truck. As Suspect Gathier backed up the vehicle, Deputy Huerta used his expandable baton to break out the front driver's side window to Suspect Gathier's vehicle. Deputy Huerta wanted to insure Suspect Gathier could hear his commands.

When Suspect Gathier backed up, Suspect Gathier accelerated forward again, and turned toward Deputy Huerta. Deputy Huerta feared he was about to be stuck by the vehicle and jumped out of the path of the suspect's vehicle. When Suspect Gathier passed him, the driver's side mirror struck Deputy Huerta's left hand. Suspect Gathier again rammed his vehicle into the side of the tow truck. Deputy Huerta said he stayed behind the cover of another (secondary) parked tow truck and remained there until additional units arrived.

Deputy Huerta said when Sergeant Ovalle arrived, he heard Sergeant Ovalle request someone retrieve a pepperball gun. When it was safe, Deputy Huerta walked toward the entrance of the tow yard and exited onto 90th Street. Deputy Huerta retrieved the pepperball gun from Sergeant Ovalle's unit, but Deputy Valente took the pepperball gun from him. Deputy Huerta believed he retrieved the ARWEN. Afterwards, Deputy Huerta followed Deputy Valente back into the tow yard and walked north along the east portion of the yard.

Once Deputy Huerta arrived back to where he originally was positioned, Deputy Huerta saw Deputy Valente deploy the pepperball in through the open driver's side window. Suspect Gathier accelerated forward again and rammed the vehicle into the side of the tow truck. At that moment, Deputy Huerta heard four or five gunshots. Deputy Huerta immediately dropped to the ground for cover and remained behind the secondary tow truck.

Deputy Huerta heard deputies yelling commands to Suspect Gathier, Deputy Huerta stood up and saw several deputies approaching Suspect Gathier's vehicle. Deputy Huerta approached the vehicle and saw deputies attempting to pull Suspect Gathier out of the vehicle. However, Suspect Gathier was resisting by holding onto the interior of the vehicle. Deputy Huerta could not remember who was pulling Suspect Gathier out of the vehicle. Deputy Huerta assisted by pulling on Suspect Gathier's feet.

When Suspect Gathier was successfully pulled out of the vehicle, he was laid on the ground, onto his stomach. Deputy Huerta maintained control of Suspect Gathier's feet while other deputies handcuffed Suspect Gathier.

Deputy Huerta stated he did not see any deputies strike or use force against Suspect Gathier. Deputy Huerta was on patrol training at the time and was not familiar with the deputies at the scene. After Suspect Gathier was secured, Deputy Huerta and several other deputies walked northbound into the tow yard, clearing it for any other potential suspects.

Sergeant Jose Ovalle

Sergeant Ovalle stated when he arrived, he saw several unknown deputies inside the tow yard, standing between the west fence and a white box truck. Sergeant Ovalle wanted to send a contact team with lethal and less lethal weapons to the east side of the tow yard. Before implementing the plan, Sergeant Ovalle directed those deputies, who were positioned between the west fence and the white box truck, to exit the tow yard and toward 90th Street. Sergeant Ovalle believed all those deputies exited safely.

Sergeant Ovalle directed Deputy Huerta to retrieve the ARWEN gun and Deputy Valente to retrieve the pepperball gun. Sergeant Ovalle instructed Deputy Dowdy and Deputy [redacted] to use lethal force if necessary. Sergeant Ovalle saw

Deputies Huerta, Valente, Dowdy, and [redacted] enter the tow yard between the front of the tow truck and the south fence.

Sergeant Ovalle remained at the entrance of the tow yard, taking cover on the passenger side of the tow truck. Sergeant Ovalle saw Suspect Gathier ram his vehicle into the side of a tow truck several times. At one point, Sergeant Ovalle heard Deputy [redacted] yell he was trapped and he may have to shoot Suspect Gathier. Moments later, Sergeant Ovalle heard several gunshots. Although Sergeant Ovalle did not see Deputy [redacted] shoot, he assumed Deputy [redacted] shot because of the warnings he yelled out.

Once the shooting stopped, Sergeant Ovalle saw Deputy [redacted] exit the southeast corner of the yard and onto the sidewalk. Sergeant Ovalle quickly formulated an arrest team comprising of himself, Deputies Dowdy, Valente, and Huerta. Sergeant Ovalle entered the tow yard and saw the deputies making contact with Suspect Gathier, who was still inside the vehicle.

Sergeant Ovalle was present when the deputies opened the vehicle's door. Suspect Gathier was not following the deputies' commands to exit. Sergeant Ovalle could not recall who began to pull Suspect Gathier out of the vehicle, but Suspect Gathier was eventually pulled out and placed on the ground, face down. Suspect Gathier resisted being handcuffed by firmly holding his arms at his sides. Sergeant Ovalle recalled seeing Deputy Valente strike Suspect Gathier's back two times with his knee to gain compliance. Sergeant Ovalle stated he directed Suspect Gathier's ankles to be hobbled because Suspect Gathier was kicking his legs toward the deputies.

Sergeant Ovalle did not witness any deputies punch or kick Suspect Gathier. Sergeant Ovalle said the arrest was quick, and once Suspect Gathier was handcuffed and secured, Sergeant Ovalle insured the fire department was summoned to render medical aide.

Sergeant Eric Kuehl

Sergeant Kuehl stated when he arrived, he was informed Suspect Gathier was inside the tow yard, driving a vehicle erratically. Sergeant Kuehl saw Suspect Gathier driving a vehicle back and forth, attempting to drive out of the tow yard. Sergeant Ovalle directed Sergeant Kuehl to begin video recording.

Once Sergeant Kuehl began to record, he saw several deputies enter the tow yard between the front of the tow truck and the south fence. Sergeant Kuehl did not recall who the deputies were who entered the tow yard. While Sergeant Kuehl focused the camera toward Suspect Gathier, Sergeant Kuehl saw Suspect Gathier ram his vehicle into the side of a tow truck. At one point, Sergeant Kuehl heard an unknown deputy yell he was trapped. At the time, Sergeant Kuehl did not know who made the exclamation, but later learned it was Deputy [redacted]

Sergeant Kuehl stated he saw Suspect Gathier rev the engine and quickly drive forward in a southeast direction. At that point, Sergeant Kuehl heard two volleys of gunshots coming from within the tow yard. When the gunfire stopped, Sergeant Kuehl saw Deputy [redacted] standing in the southeast corner of the yard, on top of a ladder, which was laying horizontally. Sergeant Kuehl saw Suspect Gathier's vehicle had come to a stop only several feet away from Deputy [redacted]

Once Deputy [redacted] walked out of the tow yard and onto the street, Sergeant Kuehl entered the tow yard. Sergeant Kuehl walked to where Suspect Gathier had been detained and continued video recording the scene and Suspect Gathier. Sergeant Kuehl stated he did not witness any force used against Suspect Gathier. Sergeant Kuehl gave the video camera to Deputy [redacted] and instructed him to continue recording.

Sergeant Kuehl exited the tow yard and went to check on Deputy [redacted] and transported him to Century Station.

Deputy Travis Dowdy

Deputy Dowdy stated when he arrived, he saw Suspect Gathier driving a vehicle inside the tow yard. Suspect Gathier was revving the engine and had rammed the vehicle into the side of a tow truck several times. Deputy Dowdy was directed by Sergeant Ovalle to retrieve a M4 rifle. Deputy Dowdy was part of the contact team, comprising of Deputy Valente, Deputy Huerta, and Deputy [redacted] Deputy Valente was assigned the pepperball gun. Deputy Dowdy was Deputy Valente's lethal option. Deputy Huerta was assigned the ARWEN gun. Deputy [redacted] was Deputy Huerta's lethal option.

Deputy Dowdy and Deputy Valente entered the tow yard first, between the front of the tow truck and the south fence, followed by Deputy Huerta and Deputy [redacted] The plan was to walk north, along the east side of the tow yard, and to take a position behind a secondary tow truck. When Deputy Dowdy and Deputy Valente arrived at the secondary tow truck, Deputy Dowdy believed Deputy Huerta was with him as well. Deputy Dowdy did not see Deputy [redacted]

Deputy Dowdy saw Suspect Gathier accelerate forward, ramming his vehicle into the side of the tow truck, which was blocking the entrance of the yard. Deputy Dowdy saw Deputy Valente deploy the pepperball through the driver's side window of Suspect Gathier's vehicle. When Suspect Gathier backed the vehicle up, Suspect Gathier again accelerated forward. At this point, Deputy Dowdy heard Deputy [redacted] yell he was trapped. Deputy Dowdy could not see Deputy [redacted] Immediately thereafter, Deputy Dowdy heard several gunshots.

After the gunshots, Deputy Dowdy, Deputy Valente, and Deputy Huerta made an approach to driver's side of Suspect Gathier's vehicle. Deputy Dowdy saw Suspect Gathier was laying across the front seats, not listening to his commands. Deputy Dowdy reached into the vehicle, unlocked the door, and opened it. Deputy Dowdy gave Suspect Gathier several more commands to exit, but Suspect Gathier refused to comply. Deputy Dowdy grabbed Suspect Gathier's legs and pulled him out of the vehicle.

Once Suspect Gathier was lying face down on the ground, Deputy Dowdy attempted to handcuff him. However, Suspect Gathier tucked both his hands underneath his upper torso. Deputy Dowdy pulled on Suspect Gathier's right arm and successfully placed it behind his back. An unknown deputy was able to pull Suspect Gathier's left hand out from underneath his body and placed it behind Suspect Gathier's back. Deputy Huerta assisted and handcuffed Suspect Gathier. Deputy Dowdy said Suspect Gathier was kicking his legs while he was attempting to handcuff Suspect Gathier. An unknown deputy hobbled Suspect Gathier's ankles.

Once Suspect Gathier was handcuffed, Deputy Dowdy walked out of the tow yard and went to check on Deputy [redacted] Deputy Dowdy stated he did not witness anyone strike Suspect Gathier.

Deputy [redacted]

Deputy [redacted] stated when he arrived, he saw Suspect Gathier driving a vehicle inside the tow yard. Suspect Gathier was driving back and forth, attempting to find a way to drive out of the tow yard. Deputy [redacted] said he positioned himself, on foot, near the entrance of the tow yard. Deputy [redacted] heard Sergeant Ovalle assigning other deputies less lethal weapons.

Deputy [redacted] said he stayed on the passenger's side of the tow truck, utilizing it for cover. Suspect Gathier rammed his vehicle into the side of the tow truck two to three times. Deputy [redacted] said after Suspect Gathier collided the last time into the tow truck, Deputy [redacted] heard gunfire coming from within the tow yard. Deputy [redacted] did not see who shot.

After the gunfire, Deputy [redacted] entered the tow yard and positioned himself north of Suspect Gathier's vehicle. Deputy [redacted] saw several deputies near the driver's side door, arresting Suspect Gathier. Deputy [redacted] said he was too far away and could not see what deputies were doing while arresting Suspect Gathier. Deputy [redacted] and several other unknown deputies walked northbound into the tow yard, to clear it from any other potential threats or suspects. Nothing was found.

Deputy [redacted] did not see any deputies use force on Suspect Gathier.

Deputy [redacted]

Deputy [redacted] stated, he was one of the last units to arrive. Deputy [redacted] saw a line of deputies standing on the passenger side of a tow truck, at the entrance of the tow yard. Deputy [redacted] said he stood by the cab of the tow truck and his vision of the tow yard was blocked. Deputy [redacted] said he could hear the sound of an engine revving and the sound of a pepperball gun being deployed.

Deputy [redacted] stepped to the west and was then able to see Suspect Gathier crash into the driver's side of the tow truck. Deputy [redacted] saw Suspect Gathier back up the vehicle, accelerate forward, and again crash into the side of the tow truck. Deputy [redacted] walked to the northwest corner of 90th Street and Juniper Street and could hear from within the tow yard, the sound of Suspect Gathier colliding into something. Deputy [redacted] heard Deputy [redacted] yell he was trapped. Soon thereafter, Deputy [redacted] heard one gunshot from the southeast corner of the tow yard. After a short period, Deputy [redacted] heard an additional three to four gunshots coming from the same corner of the yard.

Deputy [redacted] walked back toward the entrance of the tow yard and looked into the southeast corner of the tow yard. Deputy [redacted] saw Deputy [redacted] standing in the corner, coughing. Deputy [redacted] yelled at Deputy [redacted] to run toward him on the street. Once Deputy [redacted] exited the tow yard from between the front of the tow truck and the south fence, Deputy [redacted] walked Deputy [redacted] several feet west on 90th Street.

Deputy [redacted] began to examine Deputy [redacted] for any injuries, but did not find any. Deputy [redacted] ran to his car to get Deputy [redacted] a bottle of water. When Deputy [redacted] gave Deputy [redacted] the water, Deputy [redacted] told Deputy [redacted] he saw his life flash before his eyes and was scared. Deputy [redacted] stayed with Deputy [redacted] until Sergeant Kuehl instructed Deputy [redacted] to video record the scene and Suspect Gathier.

Deputy [redacted] walked to where Suspect Gathier was being detained and continued to record until the fire department arrived to treat Suspect Gathier. Deputy [redacted] did not witness any force.

Deputy Jimmy Quinones

Deputy Quinones said he was one of the last units to arrive. Deputy Quinones stated he saw several deputies standing on the passenger side of a large tow truck that was blocking the entrance of the tow yard. Deputy Quinones saw Suspect Gathier accelerate the vehicle he was driving forward and rammed his vehicle into the driver's side of the tow truck.

As Deputy Quinones was standing on the side of the tow truck, Suspect Gathier rammed the tow truck again. At this point, Deputy Quinones heard the sound of the pepperball gun being deployed. Deputy Quinones then heard several gunshots coming from the southeast corner of the tow yard. Deputy Quinones ran to a parked patrol car in the middle of 90th Street for cover. Several seconds later, Deputy Quinones entered the tow yard and walked to the driver's side of Suspect Gathier's vehicle. Suspect Gathier was already out of the car, lying on his stomach. Deputy Quinones saw several deputies around Suspect Gathier, attempting to handcuff him. Suspect Gathier resisted being handcuffed by keeping his hands underneath his upper torso. Suspect Gathier was eventually handcuffed by Deputy Huerta. Deputy Quinones saw Suspect Gathier kick his leg several times. Deputy Ruiz was attempting to control his legs. Deputy Quinones saw Deputy Valente in the group of deputies, but could not see what Deputy Valente was doing.

Deputy Robert Velez

When Deputy Velez arrived on scene, he ran to the entrance of the tow yard and saw several deputies standing on the passenger side of a large tow truck. Deputy Velez looked into the tow yard and saw Suspect Gathier seated in his vehicle, revving the engine and driving it back and forth inside the tow yard. Several deputies were ordering Suspect Gathier to turn off the vehicle, but he did not comply.

When Sergeant Ovalle arrived, Deputy Velez heard Sergeant Ovalle ask for less lethal weapons. Deputy Velez went to Sergeant Ovalle's patrol car and retrieved a stunbag. Deputy Velez returned to the tow truck and aimed the stunbag at Suspect Gathier.

Deputy Velez saw Suspect Gathier accelerated forward and rammed his vehicle into the driver's side of the tow truck. Deputy Velez recalled seeing a group of deputies enter the yard between the front of the tow truck and the south fence. Deputy Velez saw Suspect Gathier back up momentarily, then accelerated forward, turning his vehicle toward the southeast corner of the tow yard. Although Deputy Velez did not see the collision, he heard Suspect Gathier collide into something. Deputy Velez heard someone yell they were trapped. At this point, Deputy Velez heard one gunshot. After several seconds, Deputy Velez heard an additional four gunshots. Deputy Velez did not see who was shooting, nor the direction they were shooting toward. In order to seek cover, Deputy Velez quickly walked westbound on 90th Street to the neighboring property.

Deputy Velez looked back to the tow yard and saw Deputy [redacted] exit the yard with his handgun drawn, coughing. Deputy Velez said he and several unknown deputies entered the yard and stood north of Suspect Gathier's vehicle. Deputy Velez saw several unknown deputies pulling Suspect Gathier out of the vehicle. However, Deputy Velez's attention was drawn to the remaining portion of the tow

yard. Deputy Velez and several other deputies began to clear the remaining tow yard.

After Deputy Velez finished clearing the tow yard, he returned to where Suspect Gathier was detained. Deputy Velez said Suspect Gathier was already handcuffed and fire department personnel were already treating him.

Deputy Miguel Ruiz

Deputy Ruiz stated when he arrived on the scene, he met several deputies and Sergeant Ovalle at the entrance to the tow yard. Sergeant Ovalle was giving instructions to deputies and asked someone to retrieve a shotgun. Deputy Ruiz ran to a nearby patrol car and got the shotgun. When Deputy Ruiz returned to the tow truck, Deputy Ruiz aimed the shotgun at Suspect Gathier, who was inside his vehicle. Suspect Gathier was revving the engine and aggressively driving back and forth inside the tow yard. He saw Suspect Gathier rammed the tow truck approximately two times.

Deputy Ruiz heard Sergeant Ovalle direct a group of deputies with lethal and less lethal weapons to enter the tow yard and to flank Suspect Gathier on the east. The deputies entered the tow yard between the front of the tow truck and the south fence. Deputy Ruiz recognized one of the deputies, Deputy [redacted] who entered the tow yard. Once the team of deputies entered the tow yard, Deputy Ruiz saw Suspect Gathier ram the tow truck. Deputy Ruiz head someone yell they were trapped. Deputy Ruiz thought one of the deputies who entered the tow yard may have been hit by Suspect Gathier.

Deputy Ruiz began to hear the sound of the pepperball gun being deployed, but did not hear the sound of gunfire. Once Suspect Gathier's vehicle came to rest, Deputy Ruiz looked into the tow yard and saw several deputies standing near the driver's door of Suspect Gathier's vehicle. Deputy Ruiz entered the tow yard and walked to Suspect Gathier's vehicle. Suspect Gathier was still inside the vehicle, refusing to follow the orders of the deputies. Deputy Ruiz saw Deputy Valente and another unknown deputy pull Suspect Gathier out of the vehicle. Once pulled from the vehicle, Suspect Gathier was laid on the ground, onto his stomach. Deputy Ruiz recalled seeing Deputy Dowdy and Deputy Huerta there, but could not remember what they were doing.

Deputy Ruiz stated he assisted by controlling Suspect Gathier's legs. Suspect Gathier was not cooperating. Suspect Gathier was kicking his legs, twisting his body, and tucking his hands underneath his upper torso. Deputy Ruiz stated he could feel the strength in Suspect Gathier's legs, as if he was trying to stand up. Deputy Ruiz pushed his weight downward onto Suspect Gathier's legs. Although Deputy Ruiz could not recall who was attempting to handcuff Suspect Gathier, Deputy Ruiz saw Suspect Gathier was resisting the deputies' efforts to be handcuffed.

Deputy Ruiz stated Sergeant Ovalle directed someone to hobble Suspect Gathier's ankles. Deputy Ruiz used his hobble and placed it around Suspect Gathier's ankles. Suspect Gathier resisted Deputy Ruiz's efforts to secure the hobble. After the hobble and handcuffs were applied, Deputy Ruiz maintained control of Suspect Gathier's legs.

Deputy Ruiz stated when the paramedics arrived to treat Suspect Gathier, the paramedics asked that the handcuffs and hobble be removed. Deputy Ruiz removed them both.

Deputy Dennis Harralson

Deputy Harralson said he was the observer assigned to Air 24 on the night of the incident. Deputy Harralson received a request for air support at a tow yard in the Century Station's area regarding an assault with a deadly weapon on a deputy. Deputy Harralson said when he arrived overhead, he recalled seeing a vehicle being driven in the tow yard. Deputy Harralson said the driver appeared to be looking for a way to drive out of the tow yard.

Deputy Harralson said the driver of the vehicle was driving aggressively, forward and backward. Although Deputy Harralson did not see the shooting occur, he was informed there was a shooting by the radio traffic. Deputy Harralson stated he saw several deputies approach the vehicle, but could not see how the driver came out. Deputy Harralson could not see if the driver resisted in any manner, or if any of the deputies used any force.

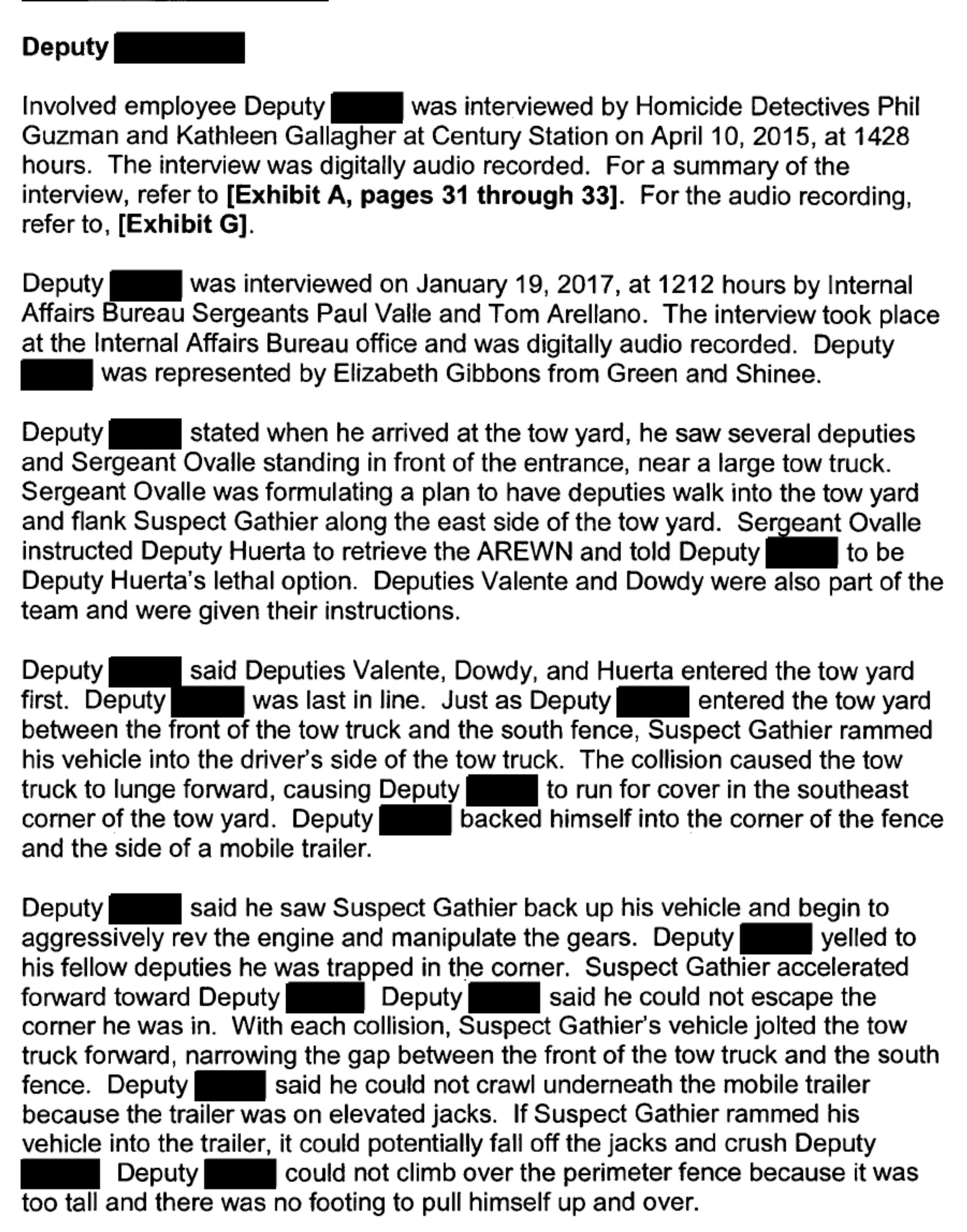
Deputy John Racz

Deputy Racz said he was the pilot of Air 24 to the night of the incident. Deputy Racz recalled receiving a call for service in Century Station's area of an assault with a deadly weapon on a deputy. Once Deputy Racz arrived overhead, he was informed a deputy involved shooting had occurred over the radio. Deputy Racz did not observe the shooting, nor the arrest of the suspect.

Deputy Rafael Cardenas

Deputy Cardenas stated when he arrived, he stood with a group of unknown deputies at the entrance of the tow yard. Deputy Cardenas stood near the patrol cars, parked on 90th Street. Deputy Cardenas saw Suspect Gathier ram his vehicle into the driver's side of a tow truck, which was blocking the entrance of the tow yard. At one point, Deputy Cardenas heard three to four gunshots, coming from within the tow yard and said he took cover behind the patrol cars.

After the gunfire, Deputy Cardenas entered the tow yard and walked directly to Suspect Gathier's vehicle. Deputy Cardenas saw several unknown deputies placing Suspect Gathier down on the ground, outside the driver's door. Deputy



Cardenas said he did not remember if he assisted in arresting Suspect Gathier. Deputy Cardenas could not remember if Suspect Gathier was resistive. Deputy Cardenas said he did not witness any deputies use force on Suspect Gathier.

EMPLOYEE STATEMENT

Deputy [redacted]

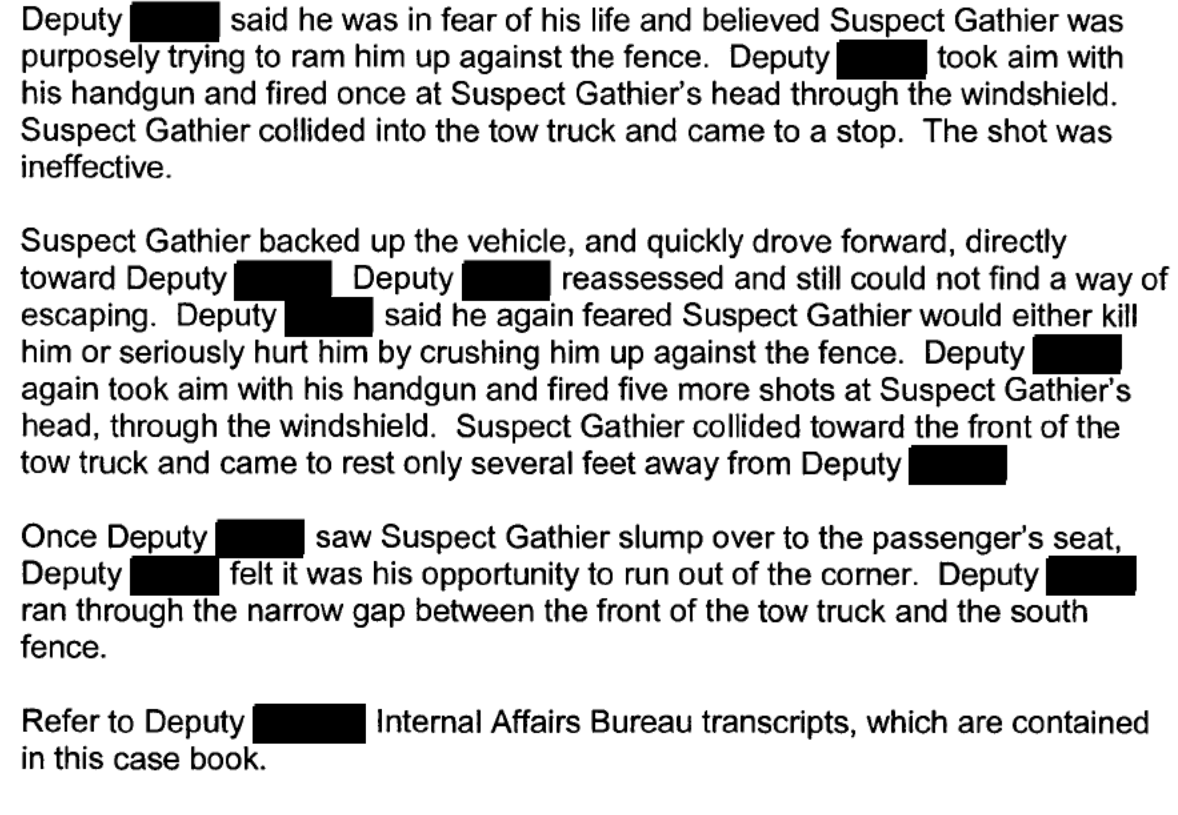
Involved employee Deputy [redacted] was interviewed by Homicide Detectives Phil Guzman and Kathleen Gallagher at Century Station on April 10, 2015, at 1428 hours. The interview was digitally audio recorded. For a summary of the interview, refer to **[Exhibit A, pages 31 through 33]**. For the audio recording, refer to, **[Exhibit G]**.

Deputy [redacted] was interviewed on January 19, 2017, at 1212 hours by Internal Affairs Bureau Sergeants Paul Valle and Tom Arellano. The interview took place at the Internal Affairs Bureau office and was digitally audio recorded. Deputy [redacted] was represented by Elizabeth Gibbons from Green and Shinee.

Deputy [redacted] stated when he arrived at the tow yard, he saw several deputies and Sergeant Ovalle standing in front of the entrance, near a large tow truck. Sergeant Ovalle was formulating a plan to have deputies walk into the tow yard and flank Suspect Gathier along the east side of the tow yard. Sergeant Ovalle instructed Deputy Huerta to retrieve the AREWN and told Deputy [redacted] to be Deputy Huerta's lethal option. Deputies Valente and Dowdy were also part of the team and were given their instructions.

Deputy [redacted] said Deputies Valente, Dowdy, and Huerta entered the tow yard first. Deputy [redacted] was last in line. Just as Deputy [redacted] entered the tow yard between the front of the tow truck and the south fence, Suspect Gathier rammed his vehicle into the driver's side of the tow truck. The collision caused the tow truck to lunge forward, causing Deputy [redacted] to run for cover in the southeast corner of the tow yard. Deputy [redacted] backed himself into the corner of the fence and the side of a mobile trailer.

Deputy [redacted] said he saw Suspect Gathier back up his vehicle and begin to aggressively rev the engine and manipulate the gears. Deputy [redacted] yelled to his fellow deputies he was trapped in the corner. Suspect Gathier accelerated forward toward Deputy [redacted] Deputy [redacted] said he could not escape the corner he was in. With each collision, Suspect Gathier's vehicle jolted the tow truck forward, narrowing the gap between the front of the tow truck and the south fence. Deputy [redacted] said he could not crawl underneath the mobile trailer because the trailer was on elevated jacks. If Suspect Gathier rammed his vehicle into the trailer, it could potentially fall off the jacks and crush Deputy [redacted] Deputy [redacted] could not climb over the perimeter fence because it was too tall and there was no footing to pull himself up and over.



Deputy [redacted] said he was in fear of his life and believed Suspect Gathier was purposely trying to ram him up against the fence. Deputy [redacted] took aim with his handgun and fired once at Suspect Gathier's head through the windshield. Suspect Gathier collided into the tow truck and came to a stop. The shot was ineffective.

Suspect Gathier backed up the vehicle, and quickly drove forward, directly toward Deputy [redacted] Deputy [redacted] reassessed and still could not find a way of escaping. Deputy [redacted] said he again feared Suspect Gathier would either kill him or seriously hurt him by crushing him up against the fence. Deputy [redacted] again took aim with his handgun and fired five more shots at Suspect Gathier's head, through the windshield. Suspect Gathier collided toward the front of the tow truck and came to rest only several feet away from Deputy [redacted]

Once Deputy [redacted] saw Suspect Gathier slump over to the passenger's seat, Deputy [redacted] felt it was his opportunity to run out of the corner. Deputy [redacted] ran through the narrow gap between the front of the tow truck and the south fence.

Refer to Deputy [redacted] Internal Affairs Bureau transcripts, which are contained in this case book.

SUSPECT STATEMENT

Gathier, Teshawn MB/28

Suspect Teshawn Gathier was interviewed on April 10, 2015, by Homicide Detectives Phil Guzman and Kathleen Gallagher at Saint Francis Medical Center. Detective Guzman interviewed Suspect Gathier after he was admitted into the hospital for medical treatment. Suspect Gathier waived his Miranda Rights, and agreed to speak to Detective Guzman without an attorney present.

Suspect Gathier immediately began to make statements he had been having suicidal thoughts and said he was ready to leave this earth. Suspect Gathier said earlier in the evening, Suspect Gathier was hearing voices in his head. Suspect Gathier believed there were several unknown males following him, wanting to kill him. Suspect Gathier entered the tow yard in order to take a vehicle to get away from the unknown males. Suspect Gathier found an unlocked vehicle with its keys in the ignition. Suspect Gathier entered the vehicle and started it.

Suspect Gathier said he saw several unknown males in the tow yard walking toward him. Suspect Gathier believed the males were shining lights in his eyes, impersonating police officers. When Detective Guzman asked Suspect Gathier why he believed they were imposters, Suspect Gathier said because they were

not nice and some of them were attempting to kill him. Suspect Gathier admitted he raised his hands up at eye level to make it seem he was holding a handgun, in order to scare them away.

Suspect Gathier told Detective Guzman the deputies began shooting at him while he was seated inside the vehicle. Suspect Gathier said he was in fear of his life and attempted to drive the vehicle out of the tow yard. Although he remembered trying to drive the vehicle through the gate, he did not remember ramming the vehicle into the tow truck.

When Detective Guzman asked Suspect Gathier if he remembered seeing a uniformed deputy in front of him, Suspect Gathier said he did not. Suspect Gathier remembered seeing people off to his side, but did not see anyone in front of him. Suspect Gathier said when he was being shot at, he put his head down and was not trying to hit anyone.

Suspect Gathier said he was pulled out of the vehicle by the males. The males laid Suspect Gathier down on the ground and began punching Suspect Gathier about his face. Suspect Gathier said he did not resist being handcuffed. After Suspect Gathier was handcuffed, one of the males covered Suspect Gathier's face with the hood of Suspect Gathier's hoodie. One of the males shoved Suspect Gathier's face down onto the ground with the male's knee. Suspect Gathier also said one of the males kicked him in his ribs.

Suspect Gathier told Detective Guzman he is homeless. Suspect Gathier has been diagnosed as a schizophrenic and suffering from depression. Suspect Gathier said he has been prescribed medication to help alleviate his mental disorders, but since Suspect Gathier has not been taking his prescribed medication for over a week, he hears voices. The voices tell him that someone wants to kill him.

For a summary of Suspect Gathier's interview, see **[Exhibit A, pages 33 through 35]**. For the audio recording, see **[Exhibit G]**. A copy of Suspect Gathier's transcripts are included with this case book.

IAB Note: **IAB investigators attempted to interview Suspect Gathier, who had been released from prison. A certified letter was sent to his residence on January 6, 2017, but with no response. Several phone calls were made to his listed cell phone number, but no messages were left since a voice message option was not set up. See Miscellaneous Documents for the United States Postal Service certified mail receipt and letter.**